

**James Madison to Edmund Pendleton, January 22, 1782. Transcription: The Writings of James Madison, ed. Gaillard Hunt. New York: G.P. Putnam's Sons, 1900-1910.**

**TO EDMUND PENDLETON.<sup>1</sup>**

1 From the Madison Papers (1840).

Philadelphia, January 22, 1782.

Dear Sir, —Congress are much occupied and perplexed at present with the case of Vermont. The pretensions of that settlement to the character of an independent State, with the grounds on which they are made, and the countenance given them by Congress, are, I presume, pretty well known to you. It has long been contended, that an explicit acknowledgment of that character, and an admission of them into the Federal Union, was an act both of justice and policy. The discovery made through several channels, and particularly the intercepted letters of Lord G. Germaine, added such force to the latter of these considerations, that in the course of last summer preliminary overtures were made on the part of Congress for taking them into the Confederation, containing, as one condition on the part of Vermont, that they should contract their claims within the bounds to which they were originally confined, and guaranteeing to New York and New Hampshire all the territory without those bounds to which their encroachments had been extended. Instead of complying with this condition, they have gone on in their encroachments both on the New York and New Hampshire sides, and there is at this moment every symptom of approaching hostility with each of them. In this delicate crisis, the interposition of Congress is again called for, and, indeed, seems to be indispensable; but whether in the way of

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military coercion, or a renewal of former overtures, or by making the first a condition of a refusal of the last, is not so unanimously decided. Indeed, with

several members, and, I may say, States in Congress, a want of power either to decide on their independence, or to open the door of the Confederacy to them, is independent State, with the grounds on which they are made, and the countenance given them by Congress, are, I presume, pretty well known to you. It has long been contended, that an explicit acknowledgment of that character, and an admission of them into the Federal Union, was an act both of justice and policy. The discovery made through several channels, and particularly the intercepted letters of Lord G. Germaine, added such force to the latter of these considerations, that in the course of last summer preliminary overtures were made on the part of Congress for taking them into the Confederation, containing, as one condition on the part of Vermont, that they should contract their claims within the bounds to which they were originally confined, and guaranteeing to New York and New Hampshire all the territory without those bounds to which their encroachments had been extended. Instead of complying with this condition, they have gone on in their encroachments both on the New York and New Hampshire sides, and there is at this moment every symptom of approaching hostility with each of them. In this delicate crisis, the interposition of Congress is again called for, and, indeed, seems to be indispensable; but whether in the way of military coercion, or a renewal of former overtures, or by making the first a condition of a refusal of the last, is not so unanimously decided. Indeed, with several members, and, I may say, States in Congress, a want of power either to decide on their independence, or to open the door of the Confederacy to them, is utterly disclaimed; besides which the danger of the precedent, and the preponderancy it would give to the Eastern scale, deserve serious consideration. These reasons, nevertheless, can only prevail when the alternative contains fewer evils. It is very unhappy that such plausible pretexts, if not necessary occasions, of assuming power should occur. Nothing is more distressing to

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those who have a true respect for the constitutional modifications of power, than to be obliged to decide on them.